

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MINES AND MINERALS – Mining Lease for Mica, Quartz, Feldspar, Vermiculite and Garnet over an extent of 10.36 Acres (4.192 Hectares) in Sy.No.535-1 of Gokulabrundavanam Village, Sydapuram Mandal, S.P.S.R.Nellore District for a period of 20 years in favour of M/s. Sree Kalyana Rama Company – Orders – Issued.

INDUSTRIES AND COMMERCE (MINES.I) DEPARTMENT

G.O.Ms.No.53.

Dated: 12-2-2009.

Read the following:

1. Govt., Memo.No. 10400/M-I(2)/2008, dt. 07-08-2008.
2. Orders of Hon'ble High Court of A.P., in W.P.No. 18827 of 2008, dated 1-9-2008 filed by M/s. Sai Mining Company.
3. From the Director of Mines and Geology, Hyderabad, file No.25211/R3- 3/2006, dated 24.12.2008.
4. Govt. Memo.No.17624/M.I(2)/2009, Ind. & Com. (M.I) Dept.dt.28.1.2009.
5. From the Director of Mines and Geology, Hyderabad, file No.25211/R3-1/08, dated 6.2.2009.

In the reference 1st cited as per the proposal of Director of Mines and Geology, orders were issued requesting M/s. Sree Kalyana Rama Company to submit the Approved Mining Plan as required under Rule 22(4) of Mineral Concession Rules, 1960 duly rejecting the earlier application filed by the same applicant firm as premature application, and subject to obtaining the Consent for Establishment (CFE) from the A.P Pollution Control Board and subject to satisfaction of Mines and Minerals (Development and Regulation) Act, 1957 and Mineral Concession Rules, 1960..

2. In the reference 2nd cited the Hon'ble High Court in its orders dt.1.9.2008 in W.P.No.18827 of 2008 filed by M/s. Sai Mining Company has directed that the respondents that the respondents shall process all the applications received in response to notification dt. 30-5-2008 vis-à-vis the land mentioned above as well as the applications received earlier thereto together and pass appropriate orders in accordance with law, within a period of 3 months from the date of receipt of judgment.

3. In the reference 3rd cited, the Director of Mines and Geology has recommended for rejection of the Mining Lease application filed by M/s. Sai Mining Company for Mica, Vermiculite, Quartz, Feldspar, Bentonite, Kyanite over an extent of 48.44 Acres in Sy.No.535, Molakalapundla Village, Sydapuram Mandal, Nellore District, on the grounds that the Tahsildar, Sydapuram while rejecting clearance for grant of Mining Lease in favour of M/s. Sai Mining Company has reported that the extent of 48.44 Ac. in Sy.No.535-1 applied by them is not in their possession and enjoyment and refused to No Objection Certificate. Several sales and re-sales took place and it is difficult to decide the ownership of the land. In spite having given notice to M/s. Sai Mining Company to produce the documents in evidence of having right over the said land, they failed to produce the evidence as such the No Objection Certificate is refused. The Zonal Joint Director Mines and Geology has further informed that both Molakalapundla and Gokulabrundavanam are one and the same village. In fact Gokulabrundavanam is the H/o. of Molakalapundla, and it is necessary to process all the 3 Mining Lease applications together with keeping in view of the orders of the Hon'ble High Court and requested the Government to withdraw the Memo.No.10400/M.I(2)/08-1, dated 7.8.2008 calling for submission of Approved Mining Plan by M/s. Sree Kalyana Rama Company in order to process all the Mining Lease applications received over the area, keeping in view of the High Court Orders in W.P.No.18827/08 filed by M/s. Sai Mining Company, according to section 11(5) of Mines and Minerals (Development and Regulation) Act, 1957.

(pto)

4. The entire matter has been re-examined by the Government keeping in view of the orders of Hon'ble High Court of A.P. dated 1.9.2008 all the 3 applications i.e. M/s. Sai Mining Company, M/s. Sree Kalyana Rama Company, dated 13.12.2007, 16.2.2008 and 30.6.2008 respectively, treating them as having been received on the same date i.e. 30.5.2008. It is considered that the subject land is patta land belonging to M/s. Sree Kalyana Rama Company, and the Mandal Revenue Officer categorically reported that M/s. Sai Mining Company does not have any right over the said land as M/s. Sai Mining Company has failed to prove that they have right over the said subject land. As such the third application of Sree Kalyana Rama Company has been considered for grant duly rejecting the first application of M/s. Sai Mining Company and the second application of M/s. Sree Kalyana Rama Company. Accordingly, in the reference 4th read above in supersession of the orders issued in the reference 1st read above, have proposed to grant Mining Lease for Mica, Quartz, Feldspar, Vermiculite and Garnet over an extent of 10.36 Acres (4.192 Hectares) in Sy.No.535-1 of Gokulabrundavanam Village, Sydapuram Mandal, Nellore District, for a period of 20 years in favour of M/s. Sree Kalyana Rama Company, while rejecting the earlier application of Sri Sai Mining Company, dt. 13-12-2007 and M/s. Sree Kalyana Rama Company, dt. 16.2.2008 filed by the same applicant firm as premature application and subject to obtaining the Consent for Establishment (CFE) from the A.P. State Pollution Control Board and subject to satisfaction of Mines and Minerals (Development and Regulation) Act, 1957 and Mineral Concession Rules, 1960 and to submit the approved Mining Plan through the Director of Mines and Geology, Hyderabad, as required under Rule 22(4) of Mineral Concession Rules, 1960.

5. in the reference 5th read above, while enclosing the mining plan approved by the Indian Bureau of Mines in respect of M/s. Sree Kalyana Rama Company has stated that as per the earlier notice the applicant company has submitted the Approved Mining Plan and the same holds good for the present orders issued in Memo.No.17642/M.I(2)/2008, dated 28.1.2009. and recommended to grant the Mining Lease for Mica, Quartz, Feldspar, Vermiculite and Garnet over an extent of 10.36 Acres (4.192 Hectares) in Sy.No.535-1, Gokulabrundavanam (V), Sydapuram Mandal, SPSR Nellore District issued by the Govt. on 7.8.2008, and subject to submission of Consent for Establishment (CFE) from A.P. Pollution Control Board as per S.O.60(E), dated: 27-1-1994 and also subject to satisfaction of Mineral Concession Rules, 1960.

6. Government hereby grant Mining Lease for Mica, Quartz, Feldspar, Vermiculite and Garnet over an extent of 10.36 Acres (4.192 Hectares) in Sy.No.535-1, Gokulabrundavanam(V), Sydapuram Mandal, S.P.S.R. Nellore District subject to provisions of Mines and Minerals (Development and Regulation) Act, 1957 and the rules made there under in general, Subject to the conditions in Form-K prescribed under the Mineral Concession Rules, 1960 and also subject to submission of Consent for Establishment (CFE) from A.P. Pollution Control Board as per S.O.1533(E), dated: 14-9-2006 and also subject to satisfaction of Mineral Concession Rules, 1960 and the additional conditions specified in the Appendix to this order.

7. The rates of royalty, dead rent and surface rent and water charges shall be collectable as follows, **or as revised by the Government from time to time.**

I. Rates of Royalty:

1. Mica: Four per cent of sale price on ad valorem basis.
2. Quartz: Twenty rupees per tonne.
3. Feldspar: Ten per cent of sale price on ad valorem basis.
4. Vermiculite: Three per cent of sale price on ad valorem basis.
5. Garnet:
 - (a) Abrasive: Three per cent of sale price on ad valorem basis.
 - (b) Gem: Ten per cent of sale price on ad valorem basis.

...3..

II. Dead Rent:

(Rates of Dead rent in Rupees per hectare per annum)

First two years of lease	3 rd year onwards
100/-	400/-

III. Surface rent and water charges and Cess: As fixed by the Government from time to time.

8. The grantee should pay a deposit Rs. 10,000/- as prescribed under rule 32 of the Mineral Concession Rules, 1960 before the lease is actually executed.

9. The grantee should execute the lease deed within the time limit specified in Rule 31 of Mineral Concession Rules, 1960.

10. The terms and conditions referred to in para 3 of this order are subject to such further modifications, additions and alterations as may be ordered before the lease deed is executed.

11. The Director of Mines and Geology is requested to take necessary further action for the execution of the lease deed after satisfying himself that the grantee fulfils all the required provisions of the amended Act and Rules. As soon as the deed is executed, the date of such execution should be reported to the Government.

12. The grantee is liable for cancellation should it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SECRETARY TO GOVERNMENT

To
M/s. Sree Kalyana Rama Company
Flat No.F2, 2nd floor,
Ramaniyan Citadal
No.1 Panchali Aman Koil Street,
Arum Bakkam, Chennai

Copy to:

The Director of Mines and Geology, Hyderabad (with file)
The Assistant Director of Mines and Geology, Nellore., Nellore District.
The District Collector, Nellore.
The Secretary, govt., of India, Min. of Mines, Dept., of Mines, New Delhi.
The Controller General, IBM, Nagpur.
The Director General, Mines Safety, Dhanbad, Bihar.
The Regional Controller of Mines, Koti, Hyderabad.
The Industries and Commerce (IF-CELL) Deptt., (2 copies).
Sf/Sc.

(“ Copy of this order is available on internet and can be accessed at address
<http://www.ap.gov.in/goir>”)

//FORWARDED :: BY ORDER//

SECTION OFFICER